

amends independent claims 1 and 2. Consequently, claims 1-6 are currently pending in the present application. Reconsideration of this application and allowance of this application are respectfully requested.

In paragraph 3 of the Official Action, claims 1 and 2 are rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner alleges that "[t]he newly amended claims citing 'said embedded data is non-orthogonal to the visible data' is deemed new subject matter since the Examiner can find no support within the specifications to corroborate the new limitations." Applicants have removed all references to the embedded data being non-orthogonal to the visible data. It is respectfully asserted that claims 1 and 2 are no longer directed to new subject matter. Therefore, the rejection of claims 1 and 2 under 35 U.S.C. §112 as indefinite should be withdrawn.

In paragraph 5 of the Official Action, claims 1-6 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,122,403 to Rhoads (hereinafter, Rhoads).

According to the Examiner:

Rhoads "teaches a computer 942 generating a master snowy image 972 which is added to a raw image 970 to produce a unique image which is printed onto a personal cash card 950. The master snowy image 972 of the unique image is obscured. Authenticating the card 950 may be done on a scanning system by decoding the image and displaying the decoded image on a local computer screen.

(April 9, 2002 Official Action, quoting Rhoads at col. 60, line 64-col. 64, line 23.) (Emphasis added.)

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Anticipation under 35 U.S.C. §102 requires that each and every claim limitation is disclosed by the applied reference. Rhoads does not teach each and every claim limitation of claims 1-2, and therefore, as a matter of law, cannot anticipate these claims. That is, Rhoads does not teach displaying information retrieved from a storage location identified by the decoded embedded data. In fact, Rhoads teaches away from the use of similar embedded data when it provides that once the embedded data is decoded, the decoded embedded data is displayed. (Rhoads at col. 64, line 19 - 23.) Rhoads further provides that the "computer generates [a] master snowy image which is generally orthogonal to [the] original image" (Id. at Figure 24.) In essence, Rhoads teaches embedded data that is an image, not a storage location identifier.

The present invention as recited in claims 1-6 is directed to a method and apparatus which includes displaying registered information using embedded data. Claim 1 comprises an image capture device for capturing an image of a substrate having visible data and embedded data embodied thereon; a decoder for decoding the embedded data to develop registration information; a device for retrieving second information from a storage location identified by the registration information; and a display for displaying the second information..

Since Rhoads does not teach displaying information retrieved from a storage location identified by the decoded embedded data, the rejection of claims 1 and 2 under 35 U.S.C. §102(e) as anticipated by Rhoads should be withdrawn. Accordingly, reconsideration of the rejection of claims 3-6 under 35 U.S.C. §102(e) is in order and respectfully requested.

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 24-0037.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Leonard Smith, Jr.  
Reg. No. 45,118

Dated: June 12, 2002

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

**APPENDIX TO AMENDMENT OF JULY 9, 2002**

IN THE SPECIFICATION:

Page 1, replace first paragraph with the following:

This application is related to U.S. Patent Application Serial No. [\_\_\_\_\_] 09/455,304, entitled METHOD AND APPARATUS FOR DECODING ANGULAR ORIENTATION OF LATTICE CODES (Attorney Docket No. 07447.0042-00000), and is related to U.S. Patent Application Serial No. [\_\_\_\_\_] 09/456,105, entitled METHOD AND APPARATUS FOR SPATIALLY REGISTERING INFORMATION USING EMBEDDED DATA (Attorney Docket No. 07447.0043-00000), filed concurrently herewith.

IN THE CLAIMS:

1. (Amended Three Times) An apparatus for displaying registered information using embedded data, comprising:

an image capture device for capturing an image of a substrate having visible data and embedded data embodied thereon[, wherein said embedded data is non-orthogonal to the visible data];

a decoder for decoding the embedded data to develop registration information;

a device for retrieving second information from a storage location identified by the registration information; and

a display for displaying the second information[ registered with the substrate based on the decoded embedded data].

-- 2. (Amended Three Times) A method for displaying registered information using embedded data, comprising:

capturing an image of a substrate having visible data and embedded data embodied thereon[, wherein said embedded data is non-orthogonal to the visible data]; and

displaying information [registered with the substrate based on] retrieved from a storage location identified by the decoded embedded data.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com